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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/642,685	08/21/2000	Stephen Michael Matyas, Jr.	5577-202	8886

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MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627

EXAMINER

DADA, BEEMNET W

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental
Notice of Allowability**

Application No.

09/642,685

Examiner

Beemnet W. Dada

Applicant(s)

MATYAS, JR. ET AL.

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Telephone interview on 6/16/2005.
2. ☒ The allowed claim(s) is/are 2-16, 18-34 and 36-42.
3. ☒ The drawings filed on 21 August 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David K. Purks (registration No. 40,133) on 06/16/2005.

The application has been amended as follows:

In the claims:

15. (Currently Amended) A method of controlling access to software by a data processing system, comprising:

providing a copy of the software, the software being divided into a first encrypted portion and a second unencrypted portion, the second unencrypted portion having access to a first secret value and a software identification associated with the copy of the software and wherein the first encrypted portion is encrypted with a first key value which is based on the first secret value and a second secret value associated with the software identification of the copy of the software;

obtaining the second secret value;

generating the first key value from the obtained second secret value and the first secret value;

decrypting the first encrypted portion of the software utilizing the first key value;

generating a second key value from the first key value and the first secret value;

encrypting the decrypted first encrypted portion of the software with the second key value; and
storing the first encrypted portion of the software encrypted with the second key value.

26. (Currently Amended) A method of controlling access to software by a data processing system, comprising:

providing a copy of the software, the software being divided into a first encrypted portion and a second unencrypted portion, the second unencrypted portion having access to a first secret value and a software identification associated with the copy of the software and wherein the first encrypted portion is encrypted with a first key value which is based on the first secret value and a second secret value associated with the software identification of the copy of the software;

obtaining the second secret value;

generating the first key value from the obtained second secret value and the first secret value;

decrypting the first encrypted portion of the software utilizing the first key value;

generating the first key value based on the first and second secret values at the network server; and

associating the first key value with the identification of the copy of the software as an updated second secret value to be provided in response to a subsequent request for the second secret value.

34. (Currently Amended) A method of controlling access to software by a data processing system, comprising:

providing a copy of the software, the software being divided into a first encrypted portion and a second unencrypted portion, the second unencrypted portion having access to a first secret value and a software identification associated with the copy of the software and wherein the first encrypted portion is encrypted with a first key value which is based on the first secret value and a second secret value associated with the software identification of the copy of the software;

obtaining the second secret value;

generating the first key value from the obtained second secret value and the first secret value;

decrypting the first encrypted portion of the software utilizing the first key value;

encrypting the first encrypted portion of the software as a plurality of encrypted blocks;

wherein the step of decrypting the first encrypted portion of the software comprises decrypting an encrypted block of the plurality of encrypted blocks with the first key value;

wherein the step of encrypting the decrypted first encrypted portion of the software comprises encrypting the decrypted block with the second key value;

wherein the step of storing the first encrypted portion of the software encrypted with the second key value comprises storing the block encrypted with the second key value; and

wherein the block of the plurality of encrypted blocks is decrypted, encrypted and stored before a next block of the plurality of blocks is decrypted, encrypted and stored.

39. (Currently Amended) A system for controlling access to software by a data processing system, comprising:

means for providing a copy of the software, the software being divided into a first encrypted portion and a second unencrypted portion, the second unencrypted portion having

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access to a first secret value and a software identification associated with the copy of the software and wherein the first encrypted portion is encrypted with a first key value which is based on the first secret value and a second secret value associated with the software identification of the copy of the software;

means for obtaining the second secret value;

means for generating the first key value from the obtained second secret value and the first secret value;

means for decrypting the first encrypted portion of the software utilizing the first key value;

means for generating a second key value from the first key value and the first secret value;

means for encrypting the decrypted first encrypted portion of the software with the second key value; and

means for storing the first encrypted portion of the software encrypted with the second key value.

40. (Currently Amended) A system for controlling software installation installations, by a data processing system, comprising:

means for associating a software identification and first and second secret values with a copy of the software;

means for receiving a request for installation of the software on a data processing system, wherein the request identifies the software identification of the copy of the software;

means for determining the second secret value associated with the software identification;

means for determining if the installation of the copy of the software to be installed is authorized; and

means for sending the second secret value to the data processing system if the installation of the copy of the software to be installed is authorized;

means for generating a first key value from the first and second secret values associated with the copy of the software; and

means for associating the first key value with the software identification of the copy of the software as an updated second secret value.

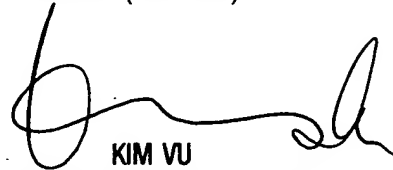
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada


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